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ABSTRACT

A high percentage of youths adjudicated by juvenile courts show neurodevelopmental abnormalities and suffer from significant learning problems and academic underachievement. Judges, lawyers, and those involved in the delivery system of the courts exhibit a lack of knowledge about students' school histories and psychological evaluations. This practicum sought to enhance cooperation between the public school system and the juvenile justice system so that special placement consideration would be implemented for youths with special problems. Specifically, the practicum provided information to a juvenile judge, with parental consent, about the youths' academic background and/or handicapping conditions before sentencing so that possible alternative placements might be considered. The information conveyed to the judge included demographic information, intelligence quotient, school history, and psychological information. An in-service training session was provided to the judge and other City Court staff, concerning handicapping conditions and their relationship to behavior. Analysis of practicum results revealed that 25.5 percent of the 247 juveniles arraigned in 3 months alone in 1989 had handicapping conditions and that of the handicapped group, 20.2 percent were considered for alternative placement and 5.2 percent were not. Results also indicated that the judge felt the information provided was helpful to him when considering placement. 27 references. (JDD)

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IMPLEMENTATION OF ALTERNATIVE SENTENCING FOR THE HANDICAPPED CHILD AND ADOLESCENT THROUGH COOPERATIVE JUDICIARY TRAINING

by

Linda D. LaCoste

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IMPLEMENTATION OF ALTERNATIVE SENTENCING FOR THE HANDICAPPED CHILD AND ADOLESCENT THROUGH COOPERATIVE JUDICIARY TRAINING

by

Linda D. LaCoste

Cluster 31

A Practicum I Report presented to the
Ed. D. Program in Early and Middle Childhood
in Partial Fulfillment of the Requirements
for the Degree of Doctor of Education

NOVA UNIVERSITY

1989

PRACTICUM APPROVAL SHEET

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Date of Final Approval of Report

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Advisor

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ABSTRACT

Implementation of alternative sentencing for the handicapped child and adolescent through cooperative judiciary training. LaCoste, Linda D., 1989: Practicum Report, Nova University, Ed. D. Program in Early and Middle Childhood. Descriptors: Academic Failures/High Risk Students/Learning Disabilities/ Delinquency/Delinquency Causes/Youth Problems/ Delinquency Rehabilitation/Juvenile Courts/Correctional Education/Behavior Disorders/Learning Problems/Problem Children/Delivery Systems/Needs Assessment/Outreach Programs/Courts/Equal Protection.

This practicum was designed to provide information to the juvenile judge, with parental consent, about the youths' academic background and/or handicapping conditions before sentencing so that possible alternative placement might be considered. The literature indicated that as much as 70 percent of the youths adjudicated by juvenile courts showed significant neurodevelopmental abnormalities, suffered from significant learning problems and academic underachievement. Judges, lawyers, and those involved in the delivery system of the courts also appear handicapped regarding a lack of knowledge about school histories and confidential evaluations. Because of this breach of information, this practicum was aimed at enhancing the cooperation of the public school system, special education, and the juvenile justice system so that special consideration of placement would be implemented for all youths with special problems.

The writer received permission from the superintendent and director of special education in order to proceed with the project. She was assigned to City Court one day a week in order to supply much needed information to the judge about each handicapped child. An inservice was provided to the judge and those involved in the delivery system at City Court about exceptionalities and their relationship to behavior. A tally sheet was designed to determine the effectiveness of the study.

The data indicated that all objectives were met. Analysis of the data revealed that much needed information provided about the juvenile proved to be a positive experience for the child and those involved in delivery. The Judge indicated that the data sheets were helpful to him when considering placement.

CHAPTER I

INTRODUCTION

Description of Community

The writer is currently employed as a school psychologist by a special education system in a southwestern city. The system presently employs three social workers, ten assessment teachers, and nine school psychologists. The parish is the largest in the state geographically, with a topography of swamps, canals, and few major highways. The population, which is approximately 98,000, is racially divergent with Vietnamese, Cuban, Acadian, Indian, and Black minorities. Because of the difficulty of transportation in earlier years and the close-knit community spirit, there are many genetic problems, including Ushers Syndrome, which are evident here. The bilingual heritage presents language deficits which are above the state average.

Problem Setting Description

This community had six juvenile judges, but only one who was actively involved in city court. The number of adjudicated youths ages 5 to 16 had risen

sharply from 1979 to 1988. Documentation of those youths petitioned before juvenile court had risen from 116 in 1979 to 415 in 1988. Upon close scrutiny of court dockets, names, ages, and offenses were included but there was no indication as to whether the youths were handicapped or non-handicapped. Therefore, the need for possible alternative placement for the handicapped youths was not considered other than Genesis --a school for 15 through 22 year olds who address a high school diploma of some kind (GED/ Carnegie Units).

It had been recommended by the juvenile judge that he receive assistance in the matter of cooperation between regular education, special education, and the juvenile court system. Therefore, he wished to have a school psychologist assigned to his court in order to supply, after parental consent was received, needed information about the youth and interpretation results of those with psychological evaluations.

Writer's Work Setting and Role

The parish's school enrollment consisted of approximately 22,000 students governed by a 15 member school board. There were 48 schools in the parish,

consisting of 42 public schools and six private schools. Of the 42 public schools, there were two special schools, two vocational schools, 26 elementary schools, three junior high schools, four high schools, and five middle schools.

The writer's role as school psychologist involved in the pupil appraisal process was to provide:

1. Assistance to teachers in the development and implementation of behavioral and/or instructional interventions.
2. Evaluation of students to determine need for special services, such as special education.
3. Consultation with parents, teachers, and other personnel on topics such as instructional or behavioral modifications, exceptional students, and student development.
4. Inservice training on selected topics to school personnel.
5. Interpretation of evaluation findings to school personnel and parents.
6. Direct support services to students with learning or behavior problems.

CHAPTER II

STUDY OF THE PROBLEM

Problem Description

Because court dockets did not differentiate between handicapped and non-handicapped adjudicated youths, a school psychologist offered to review court referrals, with parental consent, so that information could be provided to the juvenile judge about the youths' academic background and/or handicapping conditions before sentencing. It was also felt that the judge may consider alternative sentencing if information of educational, intellectual and behavioral history on the youths was known beforehand. At that time, educational/punitive alternatives were not being considered. The problem was that court dockets did not differentiate from non-handicapped youths.

Problem Documentation

Present data of court petitions showed that the number of adjudicated youths had risen 358 percent between 1979 and 1988. Current court dockets revealed no evidence of existing handicaps among the youths adjudicated to City Court. Observation of court

dockets supported that there was no differentiation between handicapped and non-handicapped youths so that possible alternative considerations could be made for placement. Additionally, interview results from the Juvenile Judge, Superintendent of Education, and Director of Special Education served to further document the existing need for identification of handicapping conditions of adjudicated youths.

Causative Analysis

The contributing causes of the existing problem were varied. They included lack of resources for gathering school data (there was a need for cooperation between the court system and the school system), time involvement collecting histories (regular school and special education secretaries could not be relieved of time in order to collect needed data on certain youths), no assigned appraisal staff (there were no appraisal persons assigned to City Court), need for teaching personnel (there was a significant need to assign teaching personnel to City Court for remediation purposes which would include teaching of prosocial skills), and a need for cooperation between agencies (the eventual in-place viewer access to school and

criminal records through an extensive computer data base) and the juvenile court system.

Relationship of the Problem to the Literature

Various studies of youths adjudicated by juvenile courts for specific law violations and who were subsequently placed in various residential treatment or juvenile detention facilities indicated that from 40 to 70 percent showed significant neurodevelopmental abnormalities, including language, cognitive, perceptual, and motor abnormalities. Of greater significance for public policy in the educational and correctional systems was the repeated evidence that almost all of these children in treatment or in detention facilities showed significant learning problems and academic underachievement. Such children averaged over three years below age and grade expectation in math, and over four years below expectation in reading (Sikorski and McGee, 1987).

Similarly, according to Sikorski and McGee (1987), identification and recognition of specific learning disabilities in children entering the juvenile justice system enables a court to appropriately consider the

special problems, needs, and rights of each child. For example, an LD (Learning Disabled) child victim may have difficulty verbalizing or explaining what happened. As a consequence, the child may not be able to communicate sufficient information to investigators or prosecutors. The child may be unable to assist his advocate in the same manner as other children. Or perhaps the child's demeanor with authorities or in court would cast doubt on the motivation or validity of allegations.

A study of 14 boys sentenced to death for crimes committed before the age of 18 has revealed multiple psychiatric and neurological handicaps and severe physical and sexual abuse that never came to light during the trials. The boys had tried to conceal all this and preferred to be seen as bad rather than admit that they were psychiatrically impaired, intellectually inadequate, or victims of sexual abuse. The parents often cooperated with the prosecution (and even urged the death sentence) because they had an interest in concealing their own actions. The defense lawyers lacked the resources to find out the facts and were divided in their allegiances between the boys and their families (Lewis and Pincus, 1988).

Children with certain learning disabilities may be incapable of understanding their rights, in the form communicated to them, or of knowingly waiving their rights. Specific learning disabilities are essential considerations, then, in such common court procedures as Boykinization and pleading guilty to allegations. Specific disabilities may also prevent effective self-defense by impairing the child's verbal abilities (Sikorski and McGee, 1987).

According to Melton and Garrison (1987), the law has directly discriminated against mentally disabled persons and has failed to protect them from discrimination by private parties. Despite arguments of the American Psychological Association and other mental health organizations, the Supreme Court has refused to consider state-sanctioned discrimination on the basis of mental disability as requiring a higher level of judicial scrutiny to ensure that it is related to important govenmental objectives. Without such scrutiny, policy decisions based on prejudice and fear may jeopordize fair and humane treatment of mentally disabled persons.

Additionally, results of a survey of state attorneys general (N-46) found that, with few exceptions, identification of persons with mental

retardation in criminal justice is neither systematic nor probable. Protections lie in statutes pertaining to mental illness rather than mental retardation (McAfee and Gural, 1988).

About three percent of American youths are referred to a juvenile court in a given year (Achenback, 1982; Arnold and Brungardt, 1983). There is no doubt that juvenile crime is increasing at a rapid rate and that it is becoming more violent and destructive (Arnold and Brungardt, 1983). More arrests and juvenile court appearances are made in the lower socioeconomic groups, but the relationship between socioeconomic level and delinquent acts is not known. There has been a sharp increase in arrest rates beginning at the junior high school age, and it appears that younger children are committing more serious and violent crimes than in previous decades. Crimes involving aggression have characterized male delinquents and sex-related crimes have characterized female delinquents, but there appears to be a trend toward more violent crimes committed by girls (Moore and Arthur, 1983).

Although adolescents comprise only 12 percent of the total United States population, the behavior problems exhibited by those between ages 13 to 18 are

major ones. Crime is prevalent among adolescents. Juveniles account for 39 percent of all arrests for the index offenses of homicide, rape, robbery, aggravated assault, burgulary, larceny, motor vehicle theft, and arson. Although the majority of all violent crimes has increased by 95 percent (Empey, 1982). Not only is the incidence of crime increasing among adolescents, but the type of crime is more likely to be of an aggressive and violent nature (Stumphauzer, 1981).

Incidences of crime and delinquency are not the only forms of adolescent behavior that have drawn national attention. It has been estimated that 3.3 million teenagers between the ages of 14 and 17 (19 percent of this age group) could be classified as problem drinkers (Rachal, Maisto, Guess, & Hubbard, 1982) and that 93 percent have tried alcohol (Johnston, Bachman, & O'Malley, 1981). Further, 17 percent of adolescents are classified as current users of marijuana, and 65 percent report some illicit drug use (Johnston et al., 1981).

Behavior problems of the adolescent do not end here. Poor performance in school is estimated to occur in 25 percent of all school children, and 20 percent of the United States adolescents fail to complete their

high school education (Adelson, 1980). These high school dropouts then evidence higher rates of antisocial and addictive behaviors and are more apt to be unemployed. In addition, although more common among the adult population, suicide is the fourth leading cause of death among 15 to 19 year olds, preceded only by accidents, homicide, and cancer (Adelson, 1980).

Peer groups in which academic achievements results in loss of face may act as powerful deterrents to school performance. Socialized juvenile delinquents are among the children most characterized in this manner. Even though the peer groups may have high esteem for leadership and intelligence, they depend upon anti-social behavior which runs counter to goals set by social institutions, including the school. A child desiring membership in such a peer group is forced to choose between group membership and academic involvement (Goldman, Stein, & Guerry, 1983).

Murphy (1986) states that research on the prevalence of handicaps among juvenile delinquents has been sporadic, and results inconsistent. Nevertheless, taken together the studies suggest that a high percentage of young offenders are indeed handicapped, and that the prevalence of certain disabilities may be much greater among this population than among the

general population.

When a handicapped child appears as perpetrator, the problems may begin from the moment of apprehension. Not only will the child's demeanor invoke negative reaction, but the child may not be able to understand what is being said. Imagine the confusion if a child with an audiotry disability hears "flees" when a police officer yells "freeze" (Sikorski and McGee, 1987).

Aggression, hyperactivity, and inattention can be reliably differentiated by teachers in the classroom (Roberts et al., 1981) and by observers of a playroom activity (Milich et al., 1982). While both hyperactive and non-hyperactive groups of handicapped children are rated by peers as socially "disliked", the hyperactive group is more likely to have conduct problems as well (King and Young, 1982). Loney et al. (1981) demonstrated that the strongest predictor of difficulty in later life is not hyperactivity per se but the combination of hyperactivity and aggression. Based on the appearance of an antisocial factor during initial evaluation, Satterfield et al. (1982), was similarly able to predict arrests for felonies in a group of hyperactives eight years later.

Aggressive behaviors as presenting symptoms should be understood in the context of psychodynamics, once

organic or drug-usage factors are ruled out. Is it a manifestation of identification with the aggressor, particularly if there has been a history of child abuse? Is it part of a long history of rebellious attitude, conflict with authority, and a generalized neurotic constellation? Or is this aggressive behavior a camouflage of inadequacies, particularly in the academic areas? Many children and adolescents prefer to be known as anything other than intellectually slow even if it requires an early label of uncooperative or disruptive. More "class clowns" gravitate toward detention centers than do primarily emotionally disturbed children. They need to realize that their behaivor is the result of their inadequate feelings and accomplishments (Kestenbaum and Williams, 1986).

According to Sikorski and McGee (1987), as regards interfacing with the juvenile justice system, it must be pointed out that the existence of a handicap in any given child is not an explanatory excuse or mitigating rationalization which would relieve the child of the social consequences of his/her behavior or remove the focus of control from self to society. The delineation of a handicap is rather a description of the process in which a given child interacts with his/her academic as well as social environment, focusing on the specific

components of his/her information processing skills. Whether a child enters the system as a victim or as a perpetrator, his/her specific handicap must be considered as dispositional alternatives are explored. The presence of a handicap has implications for placement, as well as remediation and provision of services.

In summary, many adjudicated youths appear to be victims of the very system that seeks to protect them. Considerations need to be given to the etiology of behavior and the history each youth brings with him/her by the juvenile judge. Accordingly, fair and alternative programs should be considered as a more humane placement for the disabled child in the juvenile court system.

CHAPTER III

ANTICIPATED OUTCOMES AND EVALUATION INSTRUMENTS

Goals and Expectations

The goal of this study was the identification of and possible alternative sentencing for handicapped juvenile offenders. Ultimately, it was hoped that through the cooperation of the public school system, special education, and the juvenile justice system, that special consideration of placement would be implemented for all youths with special problems.

Behavioral Objectives

The specific objectives included the development of a data sheet by the second week of implementation that included the available school, demographic, intellectual (if available), and psychological information about the juvenile. The information on the data sheet was to be completed by the school psychologist and the judge would be required to sign each sheet and circle yes or no if alternative placement had been considered. Additionally, the following information was conveyed to the judge, through training which took one session, as to the

importance of each issue on the data sheet and how the information could be used. The issues were: demographic (name, current grade, home school, etc.), intellectual (range of cognitive abilities), school (number of office referrals, absences, grades, etc.), and psychological information (exceptionality), and also had the judge sign a statement of proof of training. Finally, the judge indicated completion of the data sheet in 90 percent of the cases.

Measurement of Objectives

A tally sheet was utilized to determine the effectiveness of the study. The instrument consisted of only two pages. Vertically, the pages were arranged by Arraignments (i.e., Arraignment I, Arraignment II, Arraignment III, etc.). There should have been a total of approximately 12 to 14 arraignments for the entire study. Horizontally, the tally sheet was divided by sections entitled: Number of Cases, Number of Handicapped, and Yes/No under Alternative Placement.

Mechanisms for Recording Unexpected Results

A log was kept on arraignment dates so that there

was documentation available as to the problems which occurred because of human failings (i.e., absence of judge, unavailability of academic records, etc.).

Description of Plans for Analyzing Results

A comparative analysis of percentiles was completed as to the number of cases documented in general, the number of cases which involved handicapped youths as opposed to non-handicapped youths per arraignment, and the percentiles of those cases considered for alternative sentencing.

CHAPTER IV

REPORT OF ACTION TAKEN

Previously Attempted Solutions

Some "best practices" in correctional special education include functional assessments, functional curriculum, vocational special education, transition programs between correctional programs and the community, comprehensive systems for providing institutional and community services, and special education training for correctional educators (Rutherford, 1988).

Crawford (1984), stated that children with learning disabilities experience difficult problems when they enter the juvenile justice system. Research has shown that they are at a disadvantage compared to non-learning-disabled youths who have committed the same offense. They are more likely to be arrested and adjudicated for engaging in the same criminal behavior as their non-LD peers.

Wehlage and Rutter (1986), proposed three reforms of policy emphasizing the professional accountability of educators toward all students, renewing efforts to make authority in schools legitimate and redefining school work to allow a greater number of students to

achieve success and satisfaction and continue their schooling. Changes would include improving teacher-student interaction, redefining disiplinary practices expecially to curb truancy and using nontraditional forms of learning. As an example, vocational programs could be expanded by a "voucher plan" to allow credited educational experiences to take place in community-based programs.

In 1981, a juvenile justice support program was originated in another southern state. One component of the program was that those adjudicated youths with particular needs assessments must have these assessments included in the youth's court record. Upon closer scrutiny, it was evidenced that this project met with much success and generalized the special schools, added certified personnel assigned to the facility, and had much community support. Additionally, the number of adjudicated youths in 1987-1988 averaged 41,032. This writer's project involved approximately 400 youths. The in-place project described had five judges actively involved in the delivery system, whereas the writer's project involved one juvenile judge actively involved at City Court.

Description and Justification for Solution Selected

Some possible solutions to the present problem of lack of identification for handicapped youths included: cooperation between agencies (the human component had either a limiting effect on the project, or greatly enhanced it, however, the juvenile judge, assistant district attorney, superintendent of schools, and director of special education were supportive in working together to meet the needs of the youths); education of the judge and his juvenile justice review committee about the services offered by agencies in the community in order to meet the needs of the youths petitioned before the courts (so far there was no means of identification documented for handicapped adjudicated youths at this point). Thus it was felt that this study would meet with measurable success.

Calendar Plan

The development of an appropriate instrument of documentation (data sheet) was the first step toward the solution of the problem (See Appendix F). Because no program for the identification of handicapped

adjudicated youths was implemented in this area, this writer began from the beginning. The development of the data sheet was the first step toward the solution of the problem and included information about the identification of exceptional youths. Then, teaching the judge and other appropriate persons in his office as to the proper procedure for utilization of this form (as to the importance of the information received). Finally, in conjunction with the information received, the judge and his committee made referrals to the appropriate agencies in the community. The following steps were necessary in the process of implementation of this project:

1. Written permission was be received from the parish superintendent of education to do this project before implementation could begin. (See Appendix C)
2. Written authority was obtained from the superintendent to all school principals giving the writer permission to go into the school files to acquire the needed information. (See Appendix E)
3. Letter signed by the judge indicating a need for identification of handicapped youth. (See Appendix B)

4. Written permission from the director of special education to work with juveniles by assigning the writer to City Court one day a week. (See Appendices A and D)
5. Letter of consent signed by parent to share confidential information between school and court system. (See Appendix H)
6. Development of an appropriate instrument of documentation (data sheet) by second week of implementation. (See Appendix F)
7. Statement signed by judge indicating that training had taken place for use of data sheet. (See Appendix G)
8. Assessment tools were supplied by the special education department; working space was supplied by City Court.
9. Tally sheet to be developed by the second month of the implementation of the program. (See Appendix I)

Implementation of this project began as soon as permission was granted to begin and continued for 12 to 14 arraignment dates (three months documentation). Those involved in this project were the superintendent of schools, the juvenile judge, the director of special education, and the school psychologist. Evaluation of

this project occurred at the end of the arraignment dates.

CHAPTER V

RESULTS, CONCLUSIONS AND RECOMMENDATIONS

Results

The present study explored the possibility of implementation of alternative sentencing for the handicapped child and adolescent through cooperative judiciary training. This chapter will present the various findings.

The first objective stated that the writer would develop a data sheet by the second week of implementation that included the available school, demographic, intellectual, and psychological information about the juvenile. This objective was met.

The data sheet attempted to utilize information from all areas thought to be of value to the judge. It gave him, if you will, a "picture" of the juvenile before a meeting actually took place. It should be noted at this point, however, that it was very important to get parental consent to share information before any information could be communicated. Parental consent was received voluntarily, or was court ordered.

It has been stated by Schickedanz, Schickendanz

and Forsyth (1982) that offspring "who grow up misunderstood...are likely to pay a high price. They may underachieve, become destructive, drop out of school, escape through drugs and alcohol, or withdraw, too frightened to venture out of themselves" (p. 6).

The second objective stated that the following information would be conveyed to the judge, through training, as to the importance of each issue on the data sheet: demographic (name, current grade, home, school, etc.), intellectual (range of I.Q.), school (number of office referrals, absences, grades, etc.), and psychological information (exceptionality), and have the judge sign a statement of proof of training.

The second objective was considered successful and is supported by the judge's confirmation that an inservice was completed. While it was felt by the writer that the inservicing went well, it should be remembered that a wealth of information had to be digested by the judge and those in the delivery system. Possibly more time should be donated to this training.

At intake and during processing, probation officers, attorneys, and judges should be attentive to the telltale signs of the handicapped student (i.e.,

the learning disabled child). Teachers generally describe the learning disabled youngster as immature, uneven in their progress in various subjects, extremely variable and unpredictable in their performance, unable to work independently, having a short attention span, easily distractible, hyperactive, poor memory, having difficulty with communication --especially written. Most LD children have average to above average intelligence, but show a deficit in one or more academic areas or intellectual processes. Thus, court personnel can, through observation and information about school performance, make a good guess about the presence of learning disabilities. If the warning signs are present, then a full assessment for LD should be made (Crawford, 1986).

The third objective stated that the judge would indicate completion of the data sheet in 90 percent of the cases that came before him. This objective was to be measured by completion of a tally sheet. This objective was met. It should be noted that out of 63 children and adolescents identified as handicapped, 50 were given alternative placement and 13 were not. The judge did review the data sheets in all of the cases, which indicated 100 percent completion of the objective.

An analysis of the results would be that all handicapped children and adolescents were served fairly with regard to alternative placement (alternative to detention or residential placement). Alternative placement consisted of community service hours, placement back into schools, mandated curfews while at home, etc. Because of this project, the writer found that more people became aware of the severity of the situation and began to ask questions about juveniles, handicapping conditions, and remediation strategies. Principals have begun inquiring about Court policy with regard to juveniles and the Judge has graciously consented to answering these questions by written communication and has shown a similar interest in school policy.

Conversely, it was found by the writer that sometimes gathering information was difficult at best. When implementation of this project was first begun, schools were closed and information on the child was not easily accessible on the individual child. Another unexpected development was that the Judge took his vacation during the time of implementation, so two of the arraignments were eliminated. It should also be noted that arraignments sometimes extended from morning until late in the evening.

Conclusions

According to Campbell and others (1983), a common characteristic of high-risk and delinquent students is impulsive behavior, or the inability to "stop and think" before making decisions. It is also believed by Campbell and his colleagues that early identification of impulsivity and programs to reduce its causes can significantly change a pupil's attitudes in school and for the rest of his or her life.

Cage (1984) recommends programs for providing alternative educational opportunities involving the parents with their child's education, adopting aggressive attendance policies and developing an attendance counselor service to interact directly with the student and family.

With the growing number of petitioned youths before the Court, the implications drawn from this study could be that more alternative placements need to be considered and more academic and behavioral strategies might be applied in the classroom. It should be noted that the above alternatives should apply to non-handicapped students as well as handicapped.

It was noted that in a three month period the Judge saw approximately 247 children and adolescents. Of the 247, 63 were classified as handicapped. This number continues to grow as supported by court dockets from 1979 to 1988.

Documentation showed that in 1979, 116 Juveniles were petitioned into Court. In 1987, 232 were petitioned, and 415 were petitioned in 1988. Table I reported that in three months alone in 1989, 247 were petitioned into Court. This figure suggests that the numbers will be even greater for 1989.

Of the total number of the cases presented, it was significant to the writer to note that 25.5 percent of the juveniles petitioned to the Court were handicapped. Of the 25.5 percent petitioned, 20.2 percent were considered for alternative placement, and 5.2 percent were not. Percentiles per Arraignment are reported in Table 2.

For a few young people, however, the lack of alternatives has even graver consequences than unnecessary commitment to detention or juvenile correctional facilities. In some less populous counties in Illinois, the federal statutes that prohibit the incarceration of status offenders and the placement of juveniles in adult facilities are being

Table 1

Results of Tally Compiled at Completion of Implementation

	NUMBER OF CASES	NUMBER OF HANDICAPPED	ALTERNATIVE PLACEMENT YES OR NO	
ARRAIGNMENT I	26	5	5	0
ARRAIGNMENT II	30	7	4	1
ARRAIGNMENT III	4	1	1	0
ARRAIGNMENT IV	12	2	2	0
ARRAIGNMENT V	1	0	0	0
ARRAIGNMENT VI	25	8	6	2
ARRAIGNMENT VII	4	1	1	0
ARRAIGNMENT VIII	33	8	7	1
ARRAIGNMENT IX	20	3	3	0
ARRAIGNMENT X	18	5	4	1
ARRAIGNMENT XI	39	12	10	2
ARRAIGNMENT XII	35	11	7	4

Table 2

Percentage Correlations

	NUMBER OF CASES	PERCENTAGE HANDICAPPED	PERCENT FOR ALTERNATIVE PLACEMENT YES OR NO	
ARRAIGNMENT I	26	19.2	19.2	0
ARRAIGNMENT II	30	23.3	13.3	10.0
ARRAIGNMENT III	4	25.0	25.0	0
ARRAIGNMENT IV	12	16.7	16.7	0
ARRAIGNMENT V	1	0	0	0
ARRAIGNMENT VI	25	32.0	24.0	8.0
ARRAIGNMENT VII	4	25.0	25.0	0
ARRAIGNMENT VIII	33	24.2	21.2	3.0
ARRAIGNMENT IX	20	15.0	15.0	0
ARRAIGNMENT X	18	27.8	22.2	5.6
ARRAIGNMENT XI	39	30.7	25.6	5.1
ARRAIGNMENT XII	35	31.4	20.0	11.4
TOTAL	247	25.5	20.2	5.2

Table 3

Results of Tally
at Completion
Average # of Cases
0
5
10
15
20
25
30
35
40
1
2
3
4
5
6
7
8
9
10
11
12
Arraignments
# of Cases
# of Handicapped
Alt. Placement

broken. In 1986, 5,100 juveniles were detained in county jails and municipal lock-ups built primarily for adult offenders ("A Children's Agenda", 1988).

What should the courts do with learning-disabled/ [handicapped] youths who have gotten into trouble? For younger teenagers who do not have a long history of offenses or who are not excessively violent, the best treatment (rehabilitation, remediation) for LD/ [handicapped] delinquents will be community-based. In general, the court's disposition for LD delinquents will involve an educational component (Crawford, 1984).

Recommendations

Based on the present findings the following recommendations are made:

1. A replication fo this study using a more varied socio-economic sampling is desirable. In this way, one could better determine the applicability of alternative placements across setting.
2. Because of the various problems associated with the summer setting, it would be more profitable for future researchers to explore the possibility of utilizing the fall, winter,

and spring months.

3. There is an urgent need for an alternative school setting for those juveniles who cannot function in a mainstreamed setting. Future research should be implemented in this area.

Dissemination

As a result of this study, the following events have evolved:

1. Some administrators have voiced an interest in the project and would like to see it expanded into a separate alternative placement (school).
2. The writer was sent to Miami, Florida to view the Dade County Juvenile Justice Facility.
3. The judge has expressed the need for continued service.
4. The writer was assigned to City Court one day a week as a liason between City Court and the public school system.
5. The writer is being sent to the Juvenile Justice Conference to be held in New Orleans in March, 1990.

6. The writer hopes to set up implementation of an alternative school as a major project.

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APPENDIX A

REQUEST FOR ASSIGNMENT

SCHOOL BOARD
P.O. BOX

TO: Superintendent
Director of Special Education

FROM: Linda LaCoste, School Psychologist

I am applying for permission to schedule each Wednesday at City Court in order to identify handicapped youths, their exceptionalities, and school histories for Judge Fanguy. It should be noted that I will continue to service my present schools without interruption.

This will be in conjunction with the Juvenile Justice project associated with my doctoral program through Nova University.

LL/kg

APPENDIX B

REQUEST FROM CITY COURT

City Court of

P. O. Box

PHONE

Ms.
Director, Special Education

Dear Ms. :

Because of the increase in unidentified handicapped juvenile offenders and lack of resources to retrieve needed information about this population, it would help facilitate matters if you could assign a school psychologist to this court one day a week to assist in these areas. I feel, through identification of these youths, more fair and alternative punitive measures can be pursued.

Sincerely,

Judge, City Court of

APPENDIX C

PERMISSION FROM SUPERINTENDENT

PRESIDENT SUPERINTENDENT VICE-PRESIDENT

SCHOOL BOARD

P.O. BOX

May 16, 1989

DISTRICT A
DISTRICT B
DISTRICT C
DISTRICT D
DISTRICT E
DISTRICT F
DISTRICT G
DISTRICT H
DISTRICT I
DISTRICT J
DISTRICT K
DISTRICT L
DISTRICT M
DISTRICT N
DISTRICT O

TO WHOM IT MAY CONCERN:

Mrs. Linda LaCoste, School Psychologist, has my permission to conduct a research for implementation of alternative sentencing of handicapped children and adolescents in the School System.

I believe that this project is worthy of having the full cooperation of our school system.

Thanking you for your cooperation in allowing Mrs. LaCoste to conduct this research, I remain

Respectfully,

Superintendent

PWF/rlb

APPENDIX D

CITY COURT ASSIGNMENT LETTER

SCHOOL BOARD
P.O. BOX

TO: Linda LaCoste, School Psychologist

FROM: , Director, Special Education

Please report to City Court each Wednesday, beginning May 8, 1989 and until further notice in order to work with Judge Jude Fanguy regarding special education students on probation and receiving educational services.

DCV/kg

APPENDIX E

SCHOOL AUTHORITY LETTER

SCHOOL BOARD

P.O. BOX

May 16, 1989

TO: ALL PRINCIPALS

FROM: , Superintendent

This letter is to serve as my permission to allow Mrs. Linda LaCoste, School Psychologist, to research the records of students who have been or will be referred to Judge .

Mrs. LaCoste is in the process of doing research concerning the implementation of alternative sentencing of handicapped adolescent students.

Your understanding and cooperation in this important administrative matter are greatly appreciated.

PWF/rlb

APPENDIX F

DATA SHEET

DATA SHEET

CITY COURT
MINI-ASSESSMENT
P. O. BOX
CITY, STATE 00000

STUDENT DATA REPORT
(CONFIDENTIAL)

DOCKET NUMBER: _____

****
* WARNING: THE FOLLOWING INFORMATION IS *
* CONFIDENTIAL AND ITS DISCLOSURE TO UNAUTHORIZED *
* PERSONS MAY VIOLATE THE STUDENT'S RIGHTS TO *
* PRIVACY UNDER THE LAW. DO NOT MAKE COPIES OF *
* THIS INFORMATION OR DISCLOSE ITS CONTENTS *
* WITHOUT THE APPROPRIATE AUTHORIZATION. *
****

NAME: _____ CASE NUMBER: _____
ADDRESS: _____ PHONE NUMBER _____
HOME SCHOOL: _____ CURRENT GRADE: _____
EXCEPTIONALITY: _____

SCHOOL ENVIRONMENT:		GRADES
NUMBER OF OFFICE REFERRALS:	_____	_____
RETENTIONS:	_____	_____
NUMBER OF SUSPENSIONS:	_____	_____
ABSENCES THIS SCHOOL YEAR:	_____	_____
CONDUCT GRADE(S):	_____	_____

INTELLIGENCE SCORE (IF AVAILABLE): VERBAL _____
PERFORMANCE _____
FULL SCALE _____

HOME ENVIRONMENT:
SINGLE PARENT: (YES OR NO) _____
HEAD OF HOUSEHOLD: (MOTHER, FATHER, OTHER) _____
SIBLINGS: _____

ALTERNATIVE PLACEMENT CONSIDERED: (YES OR NO) _____

_____
SIGNATURE OF JUDGE

APPENDIX G

PROOF OF TRAINING

City Court of

P. O. Box

PHONE

TO WHOM IT MAY CONCERN:

This is to acknowledge that Linda D. LaCoste has inserviced myself and those persons directly involved with the children and adolescents appearing before me labeled as "Handicapped". The inservice consisted of termonology used and behaviors directly related to exceptionalities which might warrant alternative placement.

City Judge

APPENDIX H

PARENTAL CONSENT FORM

CITY COURT

_____

_____

_____, 19____

CONSENT FOR RELEASE OF
MEDICAL, SOCIAL OR SCHOOL INFORMATION

I, _____, parent/guardian of

_____, do hereby give

permission to _____,

to provide City Court with any medical, social or school information on me or my child that you may have.

_____ _____
WITNESS PARENT/GUARDIAN

_____ _____
AGENT REQUESTING AUTHORIZATION DATE

APPENDIX I

TALLY SHEET

TALLY SHEET

	NUMBER OF CASES	NUMBER OF HANDICAPPED	ALTERNATIVE PLACEMENT YES OR NO	
ARRAIGNMENT I				
ARRAIGNMENT II				
ARRAIGNMENT III				
ARRAIGNMENT IV				
ARRAIGNMENT V				
ARRAIGNMENT VI				
ARRAIGNMENT VII				
ARRAIGNMENT VIII				
ARRAIGNMENT IX				
ARRAIGNMENT X				
ARRAIGNMENT XI				
ARRAIGNMENT XII				